IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE TWENTY EIGHTH DAY OF MARCH
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE K.C. BHANU

WRIT PETITION NO : 6546 of 2005

Between:

Smt. Bondili Satyavathi Bai, W/o. Balaram Singh,
R/o. D.No. 5-12/1-7A, Boorelapeta, Viziayanagaram.

..... PETITIONER

AND

1 The District Collector, and District Magistrate, Viziayanagaram,
Viziayanagaram District.
2 Government of Andhra Pradesh, Rep. by its Secretary,
Social Welfare Department, A.P. Secretariat, Hyderabad.

.....RESPONDENT(S)

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue writ of Mandamus or any other appropriate writ or direction declare in the inaction of the respondent in not disposing the interim application filed under Section.7(4) of SC A.P. (SC, ST & BC) Regulation of issue of Committee Certificates Act, 1993 granting stay of the operation of the orders of the 1st Respondent dt. 19-3-2002 pending appeal No. 1816/C1/2002 before the 2nd Respondent is illegal, arbitrary, violative of article 14, 19 and 21 of the constitution. Consequently direct the respondents not to take any coercive steps till disposal of the appeal No. 1816/C1/2002 before the 2nd respondent.

Counsel for the Petitioner:MR.B.S.SHIVAJI

Counsel for the Respondent No.: GP FOR SOCIAL WELFARE

The Court made the following :

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ORAL ORDER:

This writ petition is filed seeking a Mandamus to declare the action of the respondents in not disposing of the interim application filed under section 7(4) of the Andhra Pradesh (SC, ST & BCs.) Regulation of Issue of Community Certificates Act, 1993 as arbitrary and illegal.

Heard the learned counsel for the petitioner and the learned Government Pleader for Social Welfare and perused the material on record.

The 1st respondent cancelled the social status certificate issued to the petitioner. Thereafter, the petitioner filed an appeal before the 2nd respondent. An appropriate decision has to be taken by the 2nd respondent in accordance with law.

Therefore, without entering into the merits of the case, I consider it appropriate to direct the 2nd respondent to dispose of the appeal preferred by the petitioner, in accordance with law, within a period of two months from the date of receipt of a copy of this order. Meanwhile, there shall be no prosecution by the petitioner as required under Section 15 of the A.P. (SC, ST & BCs.) Regulation of Issue of Community Certificates Act, 1993 and Rules, 1997.

The writ petition is disposed of in terms of the above directions. In the

circumstances of the case, there shall be no order as to costs.

(K.C. BHANU, J.)

28th March, 2005

bcj

To

1 The District Collector & District Magistrate, Viziayanagaram, Viziayanagaram District.
2 The Secretary, Government of Andhra Pradesh, Social Welfare Department, A.P. Secretariat,Hhyderabad.

3 Two C.Cs. to the government Pleader for Social Welfare, High Court Buildings, Hyderabad (OUT)

4 Two C.D. copies